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Dated: March 31, 2010 11:27:42

The following is ORDERED:



Niles Jackson United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF OKLAHOMA

DEBTORS
JOHN ELBERT WILLIAMS JR
STEPHANIE ANN WILLIAMS

CASE NO. 09-16327 NLJ

ORDER CONFIRMING CHAPTER 13 PLAN

The plan or a summary of the plan has been transmitted to scheduled creditors and it has been determined after notice and an opportunity for hearing the plan should be confirmed; therefore, IT IS ORDERED:

- 1. The debtor(s) shall submit future funds to the control of the Trustee as follows:
 - a. The debtor(s)' monthly plan payment is $$160.00 \times 6$, $$1265.00 \times 54$ and the plan is confirmed for a term of 60 months. The plan base is \$75,270.00. The minimum applicable commitment period is 60 months. To the extent necessary to make the disbursements required under this Order, the plan term may be automatically extended to a term of up to 60 months.
 - b. The plan payments may be made directly to the Trustee by the debtor(s), unless and until debtor(s) miss(es) a payment in which event, after notification to debtor(s), or attorney for debtor(s), the use of the Employer Wage Deduction provision of § 1325(c) is authorized.
 - c. Unless this plan is confirmed with a provision guaranteeing a 100% dividend to unsecured creditors within the minimum applicable commitment period, the debtor(s) is/are to additionally surrender to the Trustee all tax refunds, bonuses, unused vacation pay and any other irregular or incidental disposable income received during the term of the Plan. These amounts shall be applied to the existing base; however, to the extent applying these additional amounts to the existing base would reduce the plan length to less than the minimum applicable commitment period, the plan base shall be increased. Federal earned income credit portions of tax refunds shall be returned to the debtor(s) if a timely request for such relief is received prior to disbursement of the funds to creditors. The Trustee is authorized to submit ex parte orders to the Court directing turnover by third parties in possession of funds addressed by this paragraph.
 - d. The debtor(s) is/are to additionally surrender to the Trustee the nonexempt portion of the proceeds of any lawsuit, inheritance or any other windfall in an amount in excess of \$500.

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The plan base shall be increased by the amount received as a result of the lawsuit, inheritance or other windfall.

- 2. From Funds received, the Trustee shall disburse as follows:
 - a. To the Trustee, administrative expenses to be paid in full pursuant to 11 U.S.C. §1326(b)(2) and 28 U.S.C. § 586(e).
 - b. To the Debtor(s)' attorney, the sum of \$2,500.00 to be paid at \$186.00 per month.
 - c. To secured creditors where collateral is retained, deferred payments as follows:
 - i. To the holders of "long term" debts (loan term extends beyond the length of the plan) provided for under 11 U.S.C. § 1322(b)(5):

ii.

CL #	CREDITOR AMERICAN GENERAL	MONTHLY ONGOING PAYMENT 691.00	CL # 2	AMOUNT OF ARREARS 10,378.45	EST*	INTEREST ON ARREARS 11%	MONTHLY PMT. ON ARREARS P/R

The arrearage amount(s) is/are estimated and will be paid according to the amount stated on the claim unless
objected to and limited by separate Court order. The interest rate to be paid on the arrearage is the amount
reflected above.

NOTE: Any mortgage creditor being paid through the plan as the holder of a long-term debt must promptly notify the Trustee, Debtor(s), and Debtor(s)' attorney in writing of any change in the ongoing monthly mortgage payment. Additionally, the mortgage creditor must amend the arrearage portion of their claim to include any post-petition charges that are not included as part of the ongoing monthly mortgage payment. Such amendments should be filed at the time the post-petition charges are incurred. Failure to comply with any portion of this provision may result in the entry of an order deeming the mortgage current as of the date of the final ongoing monthly mortgage payment by the Trustee.

iii. To secured creditors with a purchase money security interest securing a debt either incurred within the 910-day period preceding the filing of the bankruptcy petition where the collateral is a motor vehicle acquired for personal use or incurred within the 1-year period preceding the bankruptcy petition where the collateral is any other thing of value, the amount to be paid as referenced below, with interest in the amount stated below. To the extent the amount referenced to be paid exceeds the secured claim, only the claim amount, with interest as referenced below, shall be paid. Each secured creditor shall retain its lien until the earlier of payment of the underlying debt determined under nonbankruptcy law or entry of an order granting discharge.

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CL#	CREDITOR	COLLATERAL	AMT TO BE PAID	INT.	MONTHLY PMT.
	below if secur- real property, exceeds the se be paid. Eac	secured creditors, other than ed by personal property, or to with interest in the amount coured claim, only the claim the secured creditor shall results but determined under nonly	he value set by at stated below amount, with tain its lien ur	separate Co . To the e interest as r atil the earl	ourt order if secured by xtent the stated value eferenced below, shall ier of payment of the
CL#	CREDITOR	COLLATERAL	VALUE	INT.	MONTHLY PMT.
4	AUTO FINANCE	02 BUICK RENDEVOUZ	2000.00	12%	53.99
5	JAMES HANGER	2 ND MORTGAGE (FULLY SECURED)	3000.00	0%	58.82
30	AMERICAN GEN	00 DODGE STRATUS	2869.57	12%	77.46
d.	To secured credito	lders of tax claims, payment ors where collateral is surrest of the Court, payment as foll	ndered and ade		•
CL#	CREDITOR	COLLATERAL		AN	AT TO BE PAID

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e.	To	creditors	entitled to	priority	status	pursuant	to 11	U.S.C.	§507,	deferred	payments	as	listed
below	/:												

i. To the holders of pre-petition and/or post-petition priority tax claims, full payment pursuant to the filed claim unless limited by separate Court order.

	ii. To the holders of pre-petition priority claims for domestic supp payment pursuant to the filed claim unless limited below or by separa iii. To all other holders of priority claims listed below, full payment as for	ate Court order.
f. CL #	To nonpriority unsecured creditors, as follows: i. To special nonpriority unsecured creditors, full payment as follows: CREDITOR AMOUNT TO BE PAID MONTHLE	LY PMT. INT.
	ii. This plan is confirmed as a 100% plan guaranteeing a 100% divided nonpriority claimholders. This plan is confirmed in accordance with the means test and to the class of unsecured nonpriority claimholders. This plan is confirmed as a percentage plan guaranteeing a 5% divided unsecured nonpriority claimholders. Liquidation Value Good Faith	must pay a total of
3. <u>ANY</u>	Other provisions of the plan, including payments to be made directly by debte surrendered, and other conditions: Y. DISMISSAL SHALL BE WITH PREJUDICE.	or(s), collateral to be
4.	If there is a surrender of property securing a claim referenced in paragraph operates to terminate the automatic stay of 11 U.S.C. §362(a) and to aban property to permit recovery and disposition of the property. Adequate protection as reflected in paragraph 2.d. above.	don the surrendered on shall be paid only
5.	Student loans are not dischargeable unless determined in an adversary procee undue hardship under 11 U.S.C. §523(a)(8).	ding to constitute an
6.	The plan rejects all executory contracts and unexpired leases, except such exe unexpired leases assumed as follows:	ecutory contracts and
7.	The debtor(s)' requested exemption in is: Allowed Disallowed Other	

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- 8. Creditors not advising the Trustee of address changes may be deemed to have abandoned their claims.
- 9. The Trustee will make no disbursements to any creditor until the creditor has filed a proper proof of claim and provided a file-stamped copy of the claim to the Trustee. In the case of a secured claim, the creditor must attach proper proof of perfection of its security interest as a condition of payment by the Trustee.
- 10. If not confirmed as a 100% plan, the debtors must pay the greater of the base amount or the amount to be paid to the class of unsecured nonpriority claimholders as reflected above.
- 11. All property shall remain property of the estate and shall vest in the debtor(s) only upon dismissal, discharge, conversion or other specific order of the Court. The debtor(s) shall be responsible for the preservation and protection of all property of the estate not transferred to and in the actual possession of the Trustee.
- 12. The debtor(s) is/are prohibited from incurring any debts except such debts approved pursuant to the Court's directives or as necessary for medical or hospital care.
- 13. If the Trustee identifies this case as a business case, the debtor(s) will provide the Trustee with such monthly reports as he requests on forms provided by the Trustee.
- 14. The debtor(s) is/are not current on required plan payments at the time of confirmation. If the debtor(s) is/are not fully current by <u>N/A</u>, the Trustee shall submit an ex parte Order of Dismissal to the Court, and the case will be dismissed without prior notice to the debtor(s). In order to be fully current on the required date, the debtor(s) must have paid a total of \$ <u>N/A</u> by that date.

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APPROVED:	
/s/John T Hardeman	/s/James Branum
Chapter 13 Trustee	Debtor(s)' Attorney JAMES BRANUM